

REMARKS

This Amendment responds to the Office Action mailed February 12, 2004.

In paragraph 1 of the Office Action, the Examiner objects to claim 6 under 37 C.F.R. § 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. In particular, claim 6 recites the limitation of receiving content from the Internet directly to the external server, which would, accordingly to the Examiner, removed the limitation of “transferring the content acquisition from the radio terminal to the external server” recited in claim 1. Applicant respectfully disagrees, but has amended claim 6 to indicate that the external server requests and receives that content from the Internet in response to the content acquisition request from the radio terminal. In doing so, applicant has not narrowed the scope of this claim.

In paragraph 2 of the Office Action, the Examiner rejects claims 1-11, and 13-15 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, claim 14 recites the limitation “said terminal” in line 1 of the claim. It is not clear which terminal recited in claim 12, an external processing terminal or a radio terminal, is referred to by this phrase. Accordingly, applicant has amended claims 13-15 to recite “the external processing terminal” or otherwise remove the phrase “said terminal” in order to clarify which terminal is being referred to. In doing so, applicant has not narrowed the scope of these claims.

With respect to amended claims 1 and 4-6, the phrase “the terminal” is unambiguous, and refers to the radio terminal recited in claim 1. The phrase “a self device” has been changed to “the radio terminal” in claims 1, 4, 5, and 9. In doing so, applicant has not narrowed the scope of these claims.

In claims 4-6, 10 and 11, the phrases “a terminal” and “a system” have been changed to “the terminal” and “the system” to reflect the proper antecedent basis. The scope of these claims has not been altered.

Claims 1, 9, and 14 have been amended to improve the idiomatic use of English by replacing the phrase “contents storage means for storing” with “a memory which stores,” thus clarifying that these limitations are not intended to invoke 35 U.S.C. § 112, paragraph 6. The recitation of “a memory” is not narrowing and encompasses the disclosed storage means.

Claims 2 and 3 have been canceled because they recited limitations directed to an external server and improper claim dependence from claim 1, which claims a radio terminal. The subject matter recited in canceled claims 2 and 3 can be found in claims 12-14. Claims 7 and 8 have also been canceled in favor of new claims 17 and 18.

In paragraph 3 of the Office Action, claims 1-3, 7-10, and 12-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,920,826 to Metso et al. The Examiner's rejection on this ground is respectfully traversed.

Among the limitations of claim 1 which is neither disclosed nor suggested in the art of record is the requirement that the radio terminal comprise “content request means for, after transfer of the content, requesting the external server to transmit content data converted into a data format that the radio terminal can reconstruct.” Metso discloses a cellular phone capable of sending and receiving text messages on a cellular network. Metso also teaches that the cellular phone can be interfaced with a personal computer for transferring the text messages to and from the cellular phone. Metso discloses that a personal computer is a more ergonomic user interface for entering text data, since the personal computer has a QWERTY style keyboard, and text entry on a cellular phone is difficult because it requires repetitive key presses in order to enter a single character. It is

respectfully submitted that Metso fails to disclose conversion of the text messages into a format that the cellular phone can reconstruct, because the cellular phone already has such capability, and thus such conversion would be unnecessary. Therefore Metso fails to disclose conversion of the data transmitted to the personal computer by the personal computer, so that the cellular phone can display the data converted. In the absence of any disclosure or suggestion of this feature of the invention, claim 1 is believed to be in condition for allowance.

Like claim 1, independent claim 9 contains the same limitation. Independent claim 12 recites an external processing terminal comprising content conversion means for converting the received content "into content data having a format that the radio terminal can reconstruct based on a request from the radio terminal." Therefore, claims 9 and 12 are allowable for substantially the same reasons as those recited above in connection with claim 1.

Claims 4-6, 10-11, and 13-15 depend from claims 1, 9, and 12 respectfully, and include all the limitations found therein, and therefore are allowable for the same reasons. In addition, these claims recite additional limitations which, in combination with the limitations of their respective independent claims, are not disclosed or suggested in the art of record.

Claims 16-24 have been added to more fully claim the invention.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Reconsideration and allowance of the application is earnestly solicited.

Dated: May 12, 2004

Respectfully submitted,

By 

Robert G. Ginger

Registration No.: 45,755

DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP

1177 Avenue of the Americas

41st Floor

New York, New York 10036-2714

(212) 835-1400

Attorney for Applicant

RGG/pc/ll2